



Substitute House Bill No. 6570

Public Act No. 05-205

AN ACT CONCERNING PLANS OF CONSERVATION AND DEVELOPMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 8-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) (1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Environmental Protection and Economic and Community Development that explains why such plan was not amended. Until the

Substitute House Bill No. 6570

plan is amended in accordance with this subsection, a copy of such letter shall be included in each application by the municipality for funding for the conservation or development of real property submitted to said secretary or commissioners.

(b) In the preparation of such plan, the commission may appoint one or more special committees to develop and make recommendations for the plan. The membership of any special committee may include: Residents of the municipality and representatives of local boards dealing with zoning, inland wetlands, conservation, recreation, education, public works, finance, redevelopment, general government and other municipal functions. In performing its duties under this section, the commission or any special committee may accept information from any source or solicit input from any organization or individual. The commission or any special committee may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan.

(c) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of conservation and development adopted pursuant to chapter 297, (6) the regional plan of development adopted pursuant to section 8-35a, as amended by this act, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, [and] (9) the objectives of energy-

Substitute House Bill No. 6570

efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation, and (10) protection and preservation of agriculture.

(d) (1) Such plan of conservation and development shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate, (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns land and reuse, [(C)] (D) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation and other purposes and include a map showing such proposed land uses, [(D)] (E) recommend the most desirable density of population in the several parts of the municipality, [(E)] (F) note any inconsistencies [it may have with the state plan of conservation and development adopted pursuant to chapter 297, (F)] with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (iv) conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local,

Substitute House Bill No. 6570

regional and state-wide basis, (G) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a, [(G)] (H) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the housing plan prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297. In preparing such plan the commission shall consider focusing development and revitalization in areas with existing or planned physical infrastructure.

(2) For any municipality that is contiguous to Long Island Sound, such plan shall be (A) consistent with the municipal coastal program requirements of sections 22a-101 to 22a-104, inclusive, (B) made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound, and (C) designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(e) Such plan may show the commission's and any special committee's recommendation for (1) conservation and preservation of traprock and other ridgelines, (2) [a system of principal thoroughfares, parkways, bridges, streets and other public ways, (3)] airports, parks, playgrounds and other public grounds, [(4)] (3) the general location, relocation and improvement of schools and other public buildings, [(5)] (4) the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewerage, light, power, transit and other purposes, [(6)] (5) the extent and location of

Substitute House Bill No. 6570

public housing projects, [(7)] (6) programs for the implementation of the plan, including (A) a schedule, (B) a budget for public capital projects, (C) a program for enactment and enforcement of zoning and subdivision controls, building and housing codes and safety regulations, (D) plans for implementation of affordable housing, [and] (E) plans for open space acquisition and greenways protection and development, and (F) plans for corridor management areas along limited access highways or rail lines, designated under section 16a-27, as amended by this act, (7) proposed priority funding areas, and (8) any other recommendations as will, in the commission's or any special committee's judgment, be beneficial to the municipality. The plan may include any necessary and related maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality.

(f) A plan of conservation and development or any part thereof or amendment thereto prepared by the commission or any special committee shall be reviewed, and may be amended, by the commission prior to scheduling at least one public hearing on adoption. [At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body. Such body may hold one or more hearings on the proposed plan and shall submit any comments to the commission prior to the public hearing on adoption. The failure of such body to report prior to or at the public hearing shall be taken as approval of the plan.] At least [sixty-five] thirty-five days prior to the public hearing on adoption, the commission shall post the draft plan on the Internet web site of the municipality, if any, and submit a copy of such draft plan to the regional planning agency for review and comment. The regional planning agency shall [report] submit an advisory report along with its comments to the commission at or before the hearing. [The failure of the regional planning agency to report at or before the

Substitute House Bill No. 6570

hearing shall be taken as approval of the plan. The report of the regional planning agency shall be advisory.] Such comments shall include a finding on the consistency of the draft plan with (1) the regional plan of development, adopted under section 8-35a, as amended by this act, (2) the state plan of conservation and development, adopted pursuant to chapter 297, and (3) the plans of conservation and development of other municipalities in the area of operation of the regional planning agency. The commission may revise the draft plan in accordance with the report of the regional planning agency. The commission may render a decision on the plan without the report of the regional planning agency. Prior to the public hearing on adoption, the commission shall file in the office of the town clerk a copy of such draft plan or part thereof or amendment thereto but, in the case of a district commission, such commission shall file such information in the offices of both the district clerk and the town clerk. The commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, or less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such draft plan in the office of the town clerk, or both the district clerk and the town clerk, as the case may be. After completion of the public hearing, the commission may revise the draft plan. The proposed final plan shall be submitted to the legislative body for its endorsement. The legislative body shall endorse or reject the entire proposed final plan or parts thereof and may submit comments and recommended changes to the commission. In the case of a municipality in which the legislative body is a town meeting, the proposed final plan shall be submitted to the board of selectmen. The board may conduct a public hearing on such plan. Not more than forty-five days after receipt of the plan by the board of selectmen, the entire proposed final plan or parts thereof may be endorsed or rejected at a town meeting and such town meeting may

Substitute House Bill No. 6570

submit comments and recommended changes to the commission.

(g) The commission may adopt the plan or any part thereof or amendment thereto by a single resolution or may, by successive resolutions, adopt parts of the plan and amendments thereto. Any plan, section of a plan or recommendation in the plan, not endorsed by the legislative body of the municipality may be adopted by the commission by a vote of not less than two-thirds of all the members of the commission. Upon adoption by the commission, any plan or part thereof or amendment thereto shall become effective at a time established by the commission, provided notice thereof shall be published in a newspaper having a general circulation in the municipality prior to such effective date. Any plan or part thereof or amendment thereto shall be posted on the Internet web site of the municipality, if any, and shall be filed in the office of the town clerk, except that, if it is a district plan or amendment, it shall be filed in the offices of both the district and town clerks. The commission shall notify the Secretary of the Office of Policy and Management of any inconsistency between the plan adopted by the commission and the state plan of conservation and development and the reasons therefor.

[(h) Following adoption of a new plan by the commission, the legislative body of any municipality may hold one or more hearings on the proposed plan and, by resolution, may endorse the plan for the municipality.]

(h) Any owner or tenant, or authorized agent of such owner or tenant, of real property or buildings thereon located in the municipality may submit a proposal to the commission requesting a change to the plan of conservation and development. Such proposal shall be submitted in writing and on a form prescribed by the commission. Notwithstanding the provisions of subsection (a) of section 8-7d, the commission shall determine if a public hearing shall be held on the proposal not less than thirty-five days after submission

Substitute House Bill No. 6570

of such proposal. The commission shall hold a public hearing on such proposal if it determines that such hearing is in the public interest. Except as provided in this section, any public hearing and decision shall be in accordance with the periods of time permitted under section 8-7d. The commission shall approve, deny or modify the proposal. Notwithstanding the provisions of this section, if the commission determines, at any time after the proposal is received, that such proposal would require changes to the plan of conservation and development that would be a significant change to the policies and goals of the plan of conservation and development, the commission shall consider the proposal in accordance with the provisions of subsection (f) of this section.

Sec. 2. Section 8-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) [Each] At least once every ten years, each regional planning agency shall make a plan of development for its area of operation, showing its recommendations for the general use of the area including land use, housing, principal highways and freeways, bridges, airports, parks, playgrounds, recreational areas, schools, public institutions, public utilities, agriculture and such other matters as, in the opinion of the agency, will be beneficial to the area. Any regional plan so developed shall be based on studies of physical, social, economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of its area of operation and the general welfare and prosperity of its people. Such plan may encourage energy-efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation. Such plan shall be designed to promote abatement of the pollution of the waters and air of the region. The regional plan shall identify areas where it is feasible and prudent (1) to have compact, transit accessible, pedestrian-oriented mixed use

Substitute House Bill No. 6570

development patterns and land reuse, and (2) to promote such development patterns and land reuse and shall note any inconsistencies with the following growth management principles: (A) Redevelopment and revitalization of regional centers and areas of mixed land uses with existing or planned physical infrastructure; (B) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (C) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (D) conservation and restoration of the natural environment, cultural and historical resources and traditional rural lands; (E) protection of environmental assets critical to public health and safety; and (F) integration of planning across all levels of government to address issues on a local, regional and state-wide basis. The plan of each region contiguous to Long Island Sound shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(b) Before adopting the regional plan of development or any part thereof or amendment thereto the agency shall hold at least one public hearing thereon, notice of the time, place and subject of which shall be given in writing to the chief executive officer and planning commission, where one exists, of each member town, city or borough. [and to the Secretary of the Office of Policy and Management, or his designee.] Notice of the time, place and subject of such hearing shall be published once in a newspaper having a substantial circulation in the region. At least sixty-five days before the public hearing the regional planning agency shall post the plan on the Internet web site of the agency, if any, and submit the plan to the Secretary of the Office of Policy and Management for findings in the form of comments and recommendations. Such findings shall include a review of the plan to determine if the proposed regional plan of development is not inconsistent with the state plan of conservation and development. Such

Substitute House Bill No. 6570

notices shall be given not more than twenty days nor less than ten days before such hearing. The regional planning agency shall note on the record any inconsistency with the state plan of conservation and development and the reasons for such inconsistency. Adoption of the plan or part thereof or amendment thereto shall be made by the affirmative vote of not less than a majority of the representatives on the agency. [A] The plan shall be posted on the Internet web site of the agency, if any, and a copy of the plan or of any amendments thereto, signed by the chairman of the agency, shall be transmitted to the chief executive officers, the town, city or borough clerks, as the case may be, and to planning commissions, if any, in member towns, cities or boroughs, and to the Secretary of the Office of Policy and Management, or his designee. The regional planning agency shall notify the Secretary of the Office of Policy and Management of any inconsistency with the state plan of conservation and development and the reasons therefor.

(c) The regional planning agency shall revise the plan of development not more than three years after the effective date of this section.

(d) The regional planning agency shall assist municipalities within its region and state agencies and may assist other public and private agencies in developing and carrying out any regional plan or plans of such regional planning agency. The regional planning agency may provide administrative, management, technical or planning assistance to municipalities within its region and other public agencies under such terms as it may determine, provided, prior to entering into an agreement for assistance to any municipality or other public agency, the regional planning agency shall have adopted a policy governing such assistance. The regional planning agency may be compensated by the municipality or other public agency with which an agreement for assistance has been made for all or part of the cost of such assistance.

Substitute House Bill No. 6570

Sec. 3. Section 16a-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) The secretary, after consultation with all appropriate state, regional and local agencies and other appropriate persons shall prior to March 1, 2003, complete a revision of the existing plan and enlarge it to include, but not be limited to, policies relating to transportation, energy and air. Any revision made after May 15, 1991, shall identify the major transportation proposals, including proposals for mass transit, contained in the master transportation plan prepared pursuant to section 13b-15. Any revision made after July 1, 1995, shall take into consideration the conservation and development of greenways that have been designated by municipalities and shall recommend that state agencies coordinate their efforts to support the development of a state-wide greenways system. The Commissioner of Environmental Protection shall identify state-owned land for inclusion in the plan as potential components of a state greenways system.

(b) Any revision made after August 20, 2003, shall take into account (1) economic and community development needs and patterns of commerce, and (2) linkages of affordable housing objectives and land use objectives with transportation systems.

(c) Any revision made after March 1, 2006, shall (1) take into consideration risks associated with natural hazards, including, but not limited to, flooding, high winds and wildfires; (2) identify the potential impacts of natural hazards on infrastructure and property; and (3) make recommendations for the siting of future infrastructure and property development to minimize the use of areas prone to natural hazards, including, but not limited to, flooding, high winds and wildfires.

(d) Any revision after July 1, 2005, shall describe the progress towards achievement of the goals and objectives established in the

Substitute House Bill No. 6570

previously adopted state plan of conservation and development and shall identify (1) areas where it is prudent and feasible (A) to have compact, transit accessible, pedestrian-oriented mixed-use development patterns and land reuse, and (B) to promote such development patterns and land reuse, (2) priority funding areas designated under section 5 of this act, and (3) corridor management areas on either side of a limited access highway or a rail line. In designating corridor management areas, the secretary shall make recommendations that (A) promote land use and transportation options to reduce the growth of traffic congestion; (B) connect infrastructure and other development decisions; (C) promote development that minimizes the cost of new infrastructure facilities and maximizes the use of existing infrastructure facilities; and (D) increase intermunicipal and regional cooperation.

[[d)] (e) Thereafter on or before March first in each revision year the secretary shall complete a revision of the plan of conservation and development.

Sec. 4. Section 16a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) The secretary shall present a draft of the revised plan of conservation and development for preliminary review to the continuing legislative committee on state planning and development prior to September first in 2002 and prior to September first in each prerevision year thereafter.

(b) After December first in 1985 and after December first in each prerevision year thereafter the secretary shall proceed with such further revisions of the draft of the revised plan of conservation and development as he deems appropriate. The secretary shall, by whatever means he deems advisable, publish said plan and disseminate it to the public on or before March first in revision years.

Substitute House Bill No. 6570

The secretary shall post the plan on the Internet web site of the state.

(c) Within five months of publication of said revised plan the secretary shall hold public hearings, in cooperation with regional planning agencies, to solicit comments on said plan.

Sec. 5. (NEW) (*Effective July 1, 2005*) (a) As used in this section and sections 6 to 9, inclusive:

(1) "Funding" includes any form of assurance, guarantee, grant payment, credit, tax credit or other assistance, including a loan, loan guarantee, or reduction in the principal obligation of or rate of interest payable on a loan or a portion of a loan;

(2) "Growth-related project" means any project which includes (A) the acquisition of real property when the acquisition costs are in excess of one hundred thousand dollars, except the acquisition of open space for the purposes of conservation or preservation; (B) the development or improvement of real property when the development costs are in excess of one hundred thousand dollars; (C) the acquisition of public transportation equipment or facilities when the acquisition costs are in excess of one hundred thousand dollars; or (D) the authorization of each state grant, any application for which is not pending on July 1, 2006, for an amount in excess of one hundred thousand dollars, for the acquisition or development or improvement of real property or for the acquisition of public transportation equipment or facilities, except the following: (i) Projects for maintenance, repair, additions or renovations to existing facilities, acquisition of land for telecommunications towers whose primary purpose is public safety, parks, conservation and open space, and acquisition of agricultural, conservation and historic easements; (ii) funding by the Department of Economic and Community Development for any project financed with federal funds used to purchase or rehabilitate existing single or multi-family housing or projects financed with the proceeds of revenue bonds if the

Substitute House Bill No. 6570

Commissioner of Economic and Community Development determines that application of this section and sections 6 and 7 of this act (I) conflicts with any provision of federal or state law applicable to the issuance or tax-exempt status of the bonds or any provision of any trust agreement between the Department of Economic and Community Development and any trustee, or (II) would otherwise prohibit financing of an existing project or financing provided to cure or prevent any default under existing financing; (iii) projects that the Commissioner of Economic and Community Development determines promote fair housing choice and racial and economic integration as described in section 8-37cc of the general statutes; (iv) projects at an existing facility needed to comply with state environmental or health laws or regulations adopted thereunder; (v) school construction projects funded by the Department of Education under chapter 173 of the general statutes; (vi) libraries; (vii) municipally owned property or public buildings used for government purposes; and (viii) any other project, funding or other state assistance not included under subparagraphs (A) to (D), inclusive, of this subdivision.

(3) "Priority funding area" means the area of the state designated under subsection (b) of this section.

(b) The Secretary of the Office of Policy and Management, in consultation with the Commissioners of Economic and Community Development, Environmental Protection, Public Works, Agriculture, Transportation, the chairman of the Transportation Strategy Board, the regional planning agencies in the state and any other persons or entities the secretary deems necessary shall develop recommendations for delineation of the boundaries of priority funding areas in the state and for revisions thereafter. In making such recommendations the secretary shall consider areas designated as regional centers, growth areas, neighborhood conservation areas and rural community centers on the state plan of conservation and development, redevelopment

Substitute House Bill No. 6570

areas, distressed municipalities, as defined in section 32-9p of the general statutes; targeted investment communities, as defined in section 32-222 of the general statutes; public investment communities, as defined in section 7-545 of the general statutes, enterprise zones, designated by the Commissioner of Economic and Community Development under section 32-70 of the general statutes, corridor management areas identified in the state plan of conservation and development and the principles of the Transportation Strategy Board approved under section 13b-57h of the general statutes. The secretary shall submit the recommendations to the Continuing Legislative Committee on State Planning and Development established pursuant to section 4-60d of the general statutes for review when the state plan of conservation and development is submitted to such committee in accordance with section 16a-29 of the general statutes. The committee shall report its recommendations to the General Assembly at the time said state plan is submitted to the General Assembly under section 16a-30 of the general statutes, as amended by this act. The boundaries shall become effective upon approval of the General Assembly.

Sec. 6. (NEW) (*Effective July 1, 2005*) (a) On and after the approval of the General Assembly of the boundaries of priority funding areas under section 5 of this act, no state agency, department or institution shall provide funding for a growth-related project unless such project is located in a priority funding area.

(b) Notwithstanding the provisions of subsection (a) of this section, the head of a state department, agency or institution, with the approval of the Secretary of the Office of Policy and Management, may provide funding for a growth-related project that is not located in a priority funding area upon determination that such project is consistent with the plan of conservation and development, adopted under section 8-23 of the general statutes, as amended by this act, of the municipality in which such project is located and that such project (1) enhances other

Substitute House Bill No. 6570

activities targeted by state agencies, departments and institutions to a municipality within the priority funding area, (2) is located in a distressed municipality, as defined in section 32-9 of the general statutes, targeted investment community, as defined in section 32-222 of the general statutes, or public investment community, as defined in section 7-545 of the general statutes, (3) supports existing neighborhoods or communities, (4) promotes the use of mass transit, (5) provides for compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse and promotes such development patterns and land reuse, (6) creates an extreme inequity, hardship or disadvantage that clearly outweighs the benefits of locating the project in a priority funding area if such project were not funded, (7) has no reasonable alternative for the project in a priority funding area in another location, (8) must be located away from other developments due to its operation or physical characteristics, or (9) is for the reuse or redevelopment of an existing site.

(c) Not more than one year after the designation of priority funding areas, and annually thereafter, each department, agency or institution shall prepare a report that describes grants made under subsection (b) of this section and the reasons therefor.

Sec. 7. (*Effective July 1, 2005*) On and after the approval of the General Assembly of the boundaries of priority funding areas pursuant to section 5 of this act, each state agency, department or institution shall cooperate with municipalities to ensure that programs and activities in rural areas sustain village character.

Sec. 8. (NEW) (*Effective July 1, 2005*) On and after the approval of the General Assembly of the boundaries of priority funding areas under section 5 of this act, each state agency and department shall review regulations adopted in accordance with the provisions of chapter 54 of the general statutes and modify such regulations to carry out the purpose of coordinated management of growth-related projects in

Substitute House Bill No. 6570

priority funding areas.

Sec. 9. (NEW) (*Effective July 1, 2005*) The Office of Policy and Management, within available appropriations, shall coordinate review of federal projects in relation to their location in priority funding areas to encourage location in urban areas pursuant to the provisions of Federal Executive Order 12072-Federal Space Management.

Sec. 10. Section 22a-430 of the general statutes is amended by adding subsection (k) as follows (*Effective July 1, 2005*):

(NEW) (k) The commissioner shall not deny a permit under this section if the basis for such denial is a determination by the commissioner that the proposed activity for which application has been made is inconsistent with the state plan of conservation and development adopted under section 16a-30, as amended by this act.

Sec. 11. Section 16a-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The continuing legislative committee on state planning and development shall [within thirty-five days of] not later than forty-five days after the convening of the next regularly scheduled session of the General Assembly [and after] conduct a public hearing on the plan. Not later than forty-five days after completion of such public hearing, the committee shall submit the plan with its recommendation for approval or disapproval to the General Assembly. The plan shall become effective when adopted by the General Assembly as the plan of conservation and development for the state.

(b) In the event that the General Assembly disapproves the plan in whole or in part the plan shall be deemed to be rejected and shall be returned to the committee for appropriate action.

(c) Any project included in the first or second phase of UConn 2000,

Substitute House Bill No. 6570

as defined in subdivision (25) of section 10a-109c, shall constitute part of the state plan of conservation and development approved by the General Assembly.

Sec. 12. (*Effective from passage*) Notwithstanding the provisions of section 16a-30 of the general statutes, as amended by this act, requiring the Continuing Legislative Committee on State Planning and Development to conduct a public hearing on and submit the state conservation and development plan, along with its recommendations, to the General Assembly not later than thirty-five days after the convening of the General Assembly, the actions of the Continuing Legislative Committee on State Planning and Development related to the Conservation and Development Policies Plan for Connecticut 2004-2009, submitted to said committee on November 22, 2004, in conducting a public hearing on February 7, 2005, and submitting the Conservation and Development Policies Plan for Connecticut 2005-2010, with recommendations, to the General Assembly on April 8, 2005, which actions were otherwise valid except that such hearing and submission were later than thirty-five days after the convening of the General Assembly in 2005, are hereby validated.

Sec. 13. Subsection (a) of section 16a-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The secretary, after consultation with all appropriate state, regional and local agencies and other appropriate persons, shall prior to March 1, [2003] 2009, complete a revision of the existing plan and enlarge it to include, but not be limited to, policies relating to transportation, energy and air. Any revision made after May 15, 1991, shall identify the major transportation proposals, including proposals for mass transit, contained in the master transportation plan prepared pursuant to section 13b-15. Any revision made after July 1, 1995, shall take into consideration the conservation and development of

Substitute House Bill No. 6570

greenways that have been designated by municipalities and shall recommend that state agencies coordinate their efforts to support the development of a state-wide greenways system. The Commissioner of Environmental Protection shall identify state-owned land for inclusion in the plan as potential components of a state greenways system.

Sec. 14. Subsection (a) of section 16a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The secretary shall present a draft of the revised plan of conservation and development for preliminary review to the continuing legislative committee on state planning and development prior to September first in [2002] 2008 and prior to September first in each prerevision year thereafter.

Sec. 15. Section 22a-366 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

In recognition that the waters of Connecticut are a precious, finite and invaluable resource upon which there is an ever increasing demand for present, new and competing uses; and in further recognition that an adequate supply of water for domestic, agricultural, industrial and recreational use and for fish and wildlife is essential to the health, safety and welfare of the people of Connecticut, it is found and declared that diversion of the waters of the state shall be permitted only when such diversion is found to be necessary, is compatible with long-range water resource planning, proper management and use of the water resources of Connecticut and is consistent with Connecticut's policy of protecting its citizens against harmful interstate diversions [and with the state plan of conservation and development adopted pursuant to part I of chapter 297;] and that therefore the necessity and public interest for sections 22a-365 to 22a-378, inclusive, and the protection of the water resources of the state is

Substitute House Bill No. 6570

declared a matter of legislative determination.

Approved July 6, 2005